

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**CANDY BUSTAMANTE MARTINEZ §  
INDIVIDUALLY AND AS NEXT FRIENDS §  
L.S., A MINOR §**

**VS. §**

**CIVIL NO. 5:21-cv-01274**

**BUTTERBALL, LLC §**

**DEFENDANT, BUTTERBALL LLC'S NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS:

Pursuant to 28 U.S.C. §§ 1332 and 1441(a), Defendant, **BUTTERBALL LLC**, hereby removes this action to the United States District Court for the Western District of Texas San Antonio Division from the 285<sup>th</sup> District Court of Bexar County, Texas, stating as follows:

1. Plaintiffs, Candy Bustamante Martinez and L.S. are residents of San Antonio, Bexar County, Texas and are citizens of Texas.
2. Plaintiff commenced this action in the 285th District Court of Bexar County, Texas, where it was given Cause No. 2021CI23705.
3. Defendant, Butterball LLC is a limited liability company organized under the law of the State of North Carolina. Its principal place of business is in the State of North Carolina. It is a citizen of North Carolina.
4. Plaintiffs and Defendant are citizens of different states, Defendant is not a citizen of Texas, and the proper parties are totally diverse from Plaintiffs.
5. Defendant, Butterball LLC received the summons and complaint on November 22, 2021.

6. A copy of all process, pleadings, and orders known in this case are attached as Exhibit A.

7. Defendant, Butterball LLC will provide written notice of this Notice of Removal to all adverse parties and will file a copy with the Clerk of the 285<sup>th</sup> District Court of Bexar County, Texas.

Dated: December 22 2021

Respectfully submitted,



LARRY D. WARREN  
State Bar No. 20888450

FBN: 13339

David LeBas

State Bar No. 12098600

**ATTORNEYS FOR DEFENDANT,  
BUTTERBALL LLC**

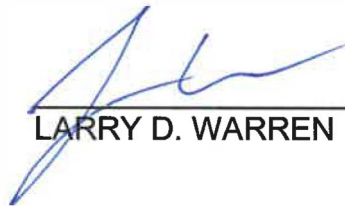
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[dlebas@namanhowell.com](mailto:dlebas@namanhowell.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on the 22 day of December 2021, the foregoing document, was filed with the Clerk of Court using the CM/ECF system, and was served on all counsel of record via E-mail:

David C. "Clay" Snell  
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**ATTORNEYS FOR PLAINTFF**

  
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LARRY D. WARREN